

State of California
AIR RESOURCES BOARD

Second Notice of Public Availability of Modified Text

PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE CALIFORNIA OFF-ROAD
EMISSIONS REGULATION FOR COMPRESSION-IGNITION ENGINES AND
EQUIPMENT

Public Hearing Date:	December 9, 2004
Public Availability of Second Notice:	September 29, 2005
Deadline for Public Comment on Second Notice:	October 14, 2005

This notice announces a second supplemental period in which the public may comment on additional modifications being proposed for the "California Off-Road Emissions Regulation for Compression-Ignition Engines and Equipment." No action by any member of the public is necessary unless the person wishes to comment on the additional modifications.

At its public hearing on December 9, 2004, the Air Resources Board (the Board) approved the adoption of the following:

- (A) the amendment of sections 2420, 2421, 2423, 2424, 2425, 2426, and 2427, title 13, California Code of Regulations (CCR);
- (B) the amendment of the incorporated documents
 - (1) "California Exhaust Emission Standards and Test Procedures for New 2000 and Later Tier 1, Tier 2, and Tier 3 Off-Road Compression-Ignition Engines, Part I-B" (formerly "California Exhaust Emission Standards and Test Procedures for New 2000 and Later Off-Road Compression-Ignition Engines, Part I-B," adopted January 28, 2000), and
 - (2) "California Exhaust Emission Standards and Test Procedures for New 1996 and Later Tier 1, Tier 2, and Tier 3 Off-Road Compression-Ignition Engines, Part II," (formerly "California Exhaust Emission Standards and Test Procedures for New 1996 and Later Off-Road Compression-Ignition Engines, Part II," adopted May 12, 1993); and
- (C) the adoption of section 2425.1, title 13, CCR, and the incorporated document "California Exhaust Emission Standards and Test Procedures for New 2008 and Later Tier 4 Off-Road Compression-Ignition Engines, Part I-C."

These modifications to the regulations and test procedures require manufacturers to comply with more stringent exhaust emission standards and enhanced certification and compliance procedures. The modifications also harmonize California's regulations with

the federal nonroad engine requirements.

The originally proposed regulatory action is described in detail in the “Staff Report: Initial Statement of Reasons for Proposed Rulemaking” (Staff Report) released to the public on October 22, 2004, and available on ARB’s Internet site at <http://www.arb.ca.gov/regact/offrdcie/offrdcie.htm>.

The Board’s Action

At the hearing, the Board adopted Resolution 04-43 (Resolution), approving the adoption of the proposed modifications to the regulation originally proposed in the Staff Report. In approving the proposed modifications, the Board specifically included staff’s suggested modifications to the initially noticed text, which were made available at the hearing. The suggested modifications were appended to the Resolution. In the Resolution, the Board directed the Executive Officer to incorporate the approved modifications into the proposed regulatory text, along with such other conforming modifications as may be appropriate, and to make such modifications available for a supplemental comment period of at least 15 days. Staff made the modifications available for public review and comment through a notice of modified text released on July 14, 2005, with a 45-day supplemental comment deadline of August 31, 2005 (“first notice of modified text”). The first notice of modified text and the Resolution are available at ARB’s Internet site noted previously.

Second Set of Proposed Modifications Being Made Available

Several written comments were received during the initial 45-day supplemental comment period that specifically addressed the proposed modifications. In response to these comments, staff is proposing additional substantive modifications to the regulatory text (“second set of proposed modifications”). The modified text also incorporates new and updated sections of title 40, Code of Federal Regulations, Parts 89, 1039, 1065, and 1068, from the July 13, 2005, Omnibus Technical Amendments. The portions of the regulation affected by this modified text are sections 2421 and 2423 of title 13, CCR, and the incorporated documents “California Exhaust Emission Standards and Test Procedures for New 2000 and Later Tier 1, Tier 2, and Tier 3 Off-Road Compression-Ignition Engines, Part I-B,” and “California Exhaust Emission Standards and Test Procedures for New 2008 and Later Tier 4 Off-Road Compression-Ignition Engines, Part I-C.”

The second set of proposed modifications is discussed below, which are set forth in detail in the documents appended to this notice as the Attachments. As shown in the first notice of modified text, additions to the initially noticed regulatory text in the Staff Report are denoted by double underline and deletions by ~~double-strikeout~~. The staff’s second set of proposed modifications are denoted by **shaded bold double underline** for additions and by ~~**shaded bold double strikeout**~~ for deletions.

Summary of Second Set of Proposed Modifications

The following describes staff's proposed substantive modifications by section number and staff's rationale for making them:

TITLE 13, CCR, REGULATION

§ 2421 – Definitions

The definition of "Certified (emissions) configuration" was modified to clarify the sufficiency of engine assembly with direct replacement parts.

The definition of "Constant-speed engine" was modified to clarify through examples the intended relationship of reference speed to load.

The definition of "Marine diesel engine" was modified by restating the criteria under which a portable auxiliary engine or generator is considered to be a marine diesel engine.

The definition of "Maximum Rated Power" was modified to include the phrase "at rated speed" for specifying the reference point at which the parameter should be measured.

The definition of "Maximum Test Speed" was modified by redirecting the incorporated reference to Part 1065.1001 of the recently revised 2008 and Later Test Procedures.

§ 2423 – Exhaust Emission Standards and Test Procedures

Paragraph (d)(1)(A) was modified to clarify "cumulative yearly percentage increments" as the basis for calculating the expenditure of a manufacturer's flexibility allowances for new equipment rated equal to or greater than 37 kilowatts under the Tier 2/3 flexibility program. The paragraph was further modified to restate in absolute terms the two categories of engines (Tier 1 or Tier 2) that may be used in equipment rated at or above 37 kilowatts.

Paragraph (d)(1)(B) was modified to clarify "cumulative yearly percentage increments" as the basis for calculating the expenditure of a manufacturer's flexibility allowances for new equipment rated less than 37 kilowatts under the Tier 2/3 flexibility program.

Paragraph (d)(1)(C) was modified to clarify "cumulative yearly percentage increments" as the basis for calculating the expenditure of a manufacturer's flexibility allowances for new equipment under the Tier 4 flexibility program.

Paragraph (d)(5)(A) was modified to change the starting date of the labeling requirement for flexibility engines to January 1, 2007.

Paragraph (h) was modified to clarify the reporting of “volumes” to mean the reporting of “estimated national flexibility engine production volumes.” Additionally, the requirement for engine manufacturers to submit copies of the “written assurance” correspondences from equipment manufacturers requesting the production of Tier 4 flexibility engines has been commuted to an eight year record keeping requirement. The paragraph was further modified to change the starting date of the requirement for engine manufacturers to obtain Executive Orders for the flexibility engines they produce to January 1, 2007.

Paragraph (l) introductory text was modified to change the starting date of the labeling requirement for rebuilt engines to “after December 31, 2006.”

Paragraph (l)(1)(B) was modified to limit the categorization of rebuilt replacement engines to those which are modified more extensively than just the replacement of a few components.

Paragraph (l)(2)(A)1. was modified to change the citation within the labeling text for a rebuilt original engine to read “13 CCR 2423(l)” where the subsection designator (l) is now lowercase. The paragraph was further modified to simplify the task of determining the “reference engine” for a rebuilt engine by eliminating the association of the reference engine to the source engine with the most stringent emissions configuration.

Paragraph (l)(2)(B)3. was modified to change the citation within the labeling text for an incomplete rebuilt replacement engine to read “13 CCR 2423(l)” where the subsection designator (l) is now lowercase. The labeling text was further modified to remove instructional language related to the final assembly and placement of the engine and to allow the listing of multiple tiers should more than one be applicable to the completed engine. The requirement for the rebuilder to provide instructions to the final assembler regarding the placement of the completed engine is withdrawn and a reference to the existing rebuild provisions that already limits the replacement of rebuilt engines based on equipment emissions specifications is provided in its stead.

2000 PLUS LIMITED TEST PROCEDURES

Part 89 – CONTROL OF EMISSIONS FROM NEW AND IN-USE NONROAD COMPRESSION-IGNITION ENGINES

§ 89.1 – Applicability

Paragraph (b)(4)(ii) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (c) is incorporated from the Omnibus Technical Amendments with revised references to California regulations.

§ 89.2 - Definitions

The definitions in Parts 1039, 1065, and 1068 of the “2008 and Later Test Procedures” are incorporated by reference.

The definitions from Part 89 of the Omnibus Technical Amendments are incorporated with revised references to California regulations and Test Procedures.

The definition of “Certified (emissions) configuration” was modified to clarify the sufficiency of engine assembly with direct replacement parts.

§ 89.102 - Effective dates, optional inclusion, flexibility for equipment manufacturers

Paragraph (a) was modified to limit the scope of applicability for flexibility provisions under this part to pre-Tier 4 engines.

Paragraph (d)(1)(i) was modified to clarify “cumulative yearly percentage increments” as the basis for calculating the expenditure of a manufacturer’s flexibility allowances for new equipment rated equal to or greater than 37 kilowatts under the Tier 2/3 flexibility program. The paragraph was further modified to restate in absolute terms the two categories of engines (Tier 1 or Tier 2) that may be used in equipment rated at or above 37 kilowatts.

Paragraph (d)(1)(ii) was modified to clarify “cumulative yearly percentage increments” as the basis for calculating the expenditure of a manufacturer’s flexibility allowances for new equipment rated less than 37 kilowatts under the Tier 2/3 flexibility program.

Paragraph (g) was modified to clarify the reporting of “volumes” to mean the reporting of “estimated national flexibility engine production volumes.” The paragraph was further modified to change the starting date of the requirement for engine manufacturers to obtain Executive Orders for the flexibility engines they produce to January 1, 2007.

§ 89.110 - Emission control information label

Paragraph (b)(2) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (e) was modified to change the starting date of the labeling requirement for flexibility engines to January 1, 2007.

§ 89.112 – Oxides of nitrogen, carbon monoxide, hydrocarbon, and particulate matter exhaust emission standards.

Paragraph (f)(3) was modified by redirecting the incorporated references to Part 1065 these recently revised 2008 and Later Test Procedures

§ 89.114 Special and alternate test procedures.

Paragraph (b)(3) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (b)(4) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 89.130 Rebuild practices.

This subpart was modified by deleting existing language and referencing the rebuilding practices in title 13, CCR, Section 2423(b)(1)(A) and §1068.120 of the 2008 and Later Test Procedures, with exemptions for Tier 1 engines with rated power equal to or greater than 37 kilowatts. The labeling provisions in title 13, CCR, 2423(l) are also referenced.

§ 89.301 Scope; applicability.

Paragraph (d) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 89.319 Hydrocarbon analyzer calibration.

Paragraph (b)(2)(ii) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (c) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 89.320 Carbon monoxide analyzer calibration.

Paragraph (d) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 89.321 Oxides of nitrogen analyzer calibration.

Paragraph (d) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 89.322 Carbon dioxide analyzer calibration.

Paragraph (b) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 89.410 Engine test cycle.

Paragraph (e) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 89.419 Dilute gaseous exhaust sampling and analytical system description.

Paragraph (a) introductory text is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (a)(3)(i) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (b)(1) introductory text is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (b)(2)(i) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (b)(2)(v)(B) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (b)(4)(ii) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (b)(4)(iii) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 89.421 Exhaust gas analytical system; CVS bag sample.

Paragraph (b) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (c) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 89.424 Dilute emission sampling calculations.

Paragraph (d)(3) is incorporated from the Omnibus Technical Amendments without contextual revision.

Appendix A to Subpart F of Part 89. Sampling Plans for Selective Enforcement Auditing of Nonroad Engines.

“Table 1.--Sampling Plan Code Letter” is incorporated from the Omnibus Technical

Amendments without contextual revision.

§ 89.603 General requirements for importation of nonconforming nonroad engines.

Paragraph (e) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 89.611 Exemptions and exclusions.

Paragraph (b)(1) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 89.612 Prohibited acts; penalties.

Paragraph (d) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 89.614 Importation of partially complete engines.

This new section is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 89.915 Staged-assembly exemption.

This new section is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 89.1003 Prohibited acts.

Paragraph (a)(3)(iii) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (b)(5) is removed and reserved for future use.

Paragraph (b)(6) is removed and reserved for future use.

Paragraph (b)(7)(ii) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (b)(7)(iii) is incorporated from the Omnibus Technical Amendments with revised references to California regulations.

Paragraph (b)(7)(iv) is redesignated as paragraph (b)(7)(vii).

This new paragraph (b)(7)(iv) is incorporated from the Omnibus Technical Amendments

without contextual revision.

This new paragraph (b)(7)(viii) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 89.1009 What special provisions apply to branded engines?

This new section is incorporated from the Omnibus Technical Amendments with revised references to California Test Procedures.

2008 AND LATER TEST PROCEDURES

PART 1039 – CONTROL OF EMISSIONS FROM NEW AND IN-USE NONROAD COMPRESSION-IGNITION ENGINES

§ 1039.1 Does this part apply for my engines?

Paragraph (c) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1039.5 Which engines are excluded from this part's requirements?

Paragraph (b)(1)(iii) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (b)(2) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1039.101 What exhaust emission standards must my engines meet after the 2014 model year?

Paragraph (g)(2) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1039.104 - Are there interim provisions that apply only for a limited time?

Paragraph (a)(4)(iii) was modified to change the incorporated reference to 1068.265 of these recently revised 2008 and Later Test Procedures.

§ 1039.120 What emission-related warranty requirements apply to me?

Paragraph (b) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1039.125 What maintenance instructions must I give to buyers?

Paragraph (g) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1039.130 What installation instructions must I give to equipment manufacturers?

Paragraph (b)(3) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1039.135 - How must I label and identify the engines I produce?

Paragraph (h) was modified by deleting existing language and replacing with a reference to the rebuilt engine labeling requirements in title 13, CCR, 2423(l).

§ 1039.225 How do I amend my application for certification to include new or modified engines or to change an FEL?

The title of this section was modified to include the phrase “ or to change an FEL.”

Paragraph (a)(3) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (f) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1039.240 How do I demonstrate that my engine family complies with exhaust emission standards?

Paragraph (a) is incorporated from the Omnibus Technical Amendments with revised references to California regulations.

Paragraph (b) is incorporated from the Omnibus Technical Amendments with revised references to California regulations.

§ 1039.260 What provisions apply to engines that are conditionally exempted from certification?

This section is deleted in accordance with the Omnibus Technical Amendments.

§ 1039.501 How do I run a valid emission test?

Paragraph (a) is incorporated from the Omnibus Technical Amendments with revised references to California regulations and Test Procedures.

§ 1039.510 Which duty cycles do I use for transient testing?

Paragraph (c) is deleted.

Paragraph (d) is deleted.

§ 1039.625 - What requirements apply under the program for equipment-manufacturer flexibility?

“Table 1—General Availability of Allowances” was modified to be consistent with the Omnibus Technical Amendments.

Paragraph (b)(1) was modified to clarify “cumulative yearly percentage increments” as the basis for calculating the expenditure of a manufacturer’s flexibility allowances for new equipment under the Tier 4 flexibility program.

Paragraph (j)(1) was modified to clarify the reporting of “volumes” to mean the reporting of “estimated national flexibility engine production volumes.” Additionally, the requirement for engine manufacturers to submit copies of the “written assurance” correspondences from equipment manufacturers requesting the production of Tier 4 flexibility engines has been commuted to an eight year record keeping requirement.

§ 1039.740 What restrictions apply for using emission credits?

Paragraph (b)(4) is incorporated from the Omnibus Technical Amendments with revised references to California regulations.

§ 1039.801 - What definitions apply to this part?

The definitions from Part 1039 of the Omnibus Technical Amendments are incorporated with revised references to California regulations and Test Procedures.

The definition of “Certified (emissions) configuration” was modified to clarify the sufficiency of engine assembly with direct replacement parts.

The Table in Appendix IV to Part 1039 – Steady-state Duty Cycles for Variable-Speed Engines with Maximum Power at or above 19 kW was modified to be consistent with the Omnibus Technical Amendments.

PART 1065 – ENGINE-TESTING PROCEDURES

Note: 40 CFR Part 1065, as modified by the July 13, 2005, Omnibus Technical Amendments, is for all intents and purposes a completely new document. Few of the original sections remain, but even those have different titles and content than original designations. Therefore, to expedite the incorporation of the Omnibus Technical Amendments into Part 1065 of the 2008 and Later Test Procedures, the modified text identified in this part of the notice will reference modifications to the Omnibus Technical Amendments rather than to staff's existing Part 1065 of the 2008 and Later Test Procedures. In effect, staff is proposing to incorporate the Omnibus Technical Amendments (70 FR 40516, July 13, 2005), as if it were a new document.

§ 1065.1 Applicability.

Paragraph (a)(2) is incorporated from the Omnibus Technical Amendments with revised references to California regulations.

Paragraph (g) is deleted since it only serves to direct the public seeking additional information to the U.S. EPA website.

§ 1065.2 Submitting information to ARB under this part.

The title of this section was modified by replacing the agency acronym "EPA" with "ARB."

§ 1065.701 General requirements for test fuels.

Paragraph (b) was modified to allow the Executive Officer to approve other certification test fuels so long as they do not affect the demonstration of compliance.

Paragraph (d) was modified to allow the Executive officer to approve alternate fuel specifications.

§ 1065.1001 Definitions.

The definition of "Designation Officer" was modified to "Designated Compliance Officer," but the meaning has not changed (i.e., the Executive Officer of the Air Resources Board, or a designee of the Executive Officer).

PART 1068 – GENERAL COMPLIANCE PROVISIONS FOR NONROAD PROGRAMS

§ 1068.30 - What definitions apply to this part?

The definitions from Part 1068 of the Omnibus Technical Amendments are incorporated

with revised references to California regulations and Test Procedures.

The definition of “Certified (emissions) configuration” was modified to clarify the sufficiency of engine assembly with direct replacement parts.

§ 1068.105 What other provisions apply to me specifically if I manufacture equipment needing certified engines?

Paragraph (a) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (c)(1)(iii) is redesignated as paragraph (c)(1)(iv).

§ 1068.110 What other provisions apply to engines in service?

Paragraph (e) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1068.115 When must manufacturers honor emission-related warranty claims?

Paragraph (a) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1068.201 Does ARB exempt or exclude any engines from the prohibited acts?

Paragraph (c) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (i) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1068.240 - What are the provisions for exempting new replacement engines?

Paragraph (d) was modified by incorporating the labeling text for new replacement engines from the Omnibus Technical Amendments using California specific regulatory citations. The referencing of federal citations in combination with California citations is permitted.

§ 1068.245 What temporary provisions address hardship due to unusual circumstances?

Paragraph (a)(4) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (f)(4) is incorporated from the Omnibus Technical Amendments with revised

references to California regulations and Test Procedures.

§ 1068.250 What are the provisions for extending compliance deadlines for small-volume manufacturers under hardship?

Paragraph (k)(4) is incorporated from the Omnibus Technical Amendments with revised references to California regulations and Test Procedures.

§ 1068.255 What are the provisions for exempting engines for hardship for equipment manufacturers and secondary engine manufacturers?

Paragraph (a) introductory text is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (b)(4) is incorporated from the Omnibus Technical Amendments with revised references to California regulations and Test Procedures.

§ 1068.260 What are the provisions for temporarily exempting engines for delegated final assembly?

Paragraph (a)(5) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (a)(6) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (f) is incorporated from the Omnibus Technical Amendments without contextual revision.

New paragraph (g) is incorporated from the Omnibus Technical Amendments with revised references to California regulations.

New paragraph (h) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1068.265 What provisions apply to engines that are conditionally exempted from certification?

This new section is incorporated from the Omnibus Technical Amendments with revised references to California Test Procedures.

§ 1068.305 How do I get an exemption or exclusion for imported engines?

Paragraph (a) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1068.315 What are the permanent exemptions for imported engines?

Paragraph (e) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (f) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (g) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (h) is added and reserved for future use.

New paragraph (i) is incorporated from the Omnibus Technical Amendments without contextual revision.

New paragraph (j) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1068.325 What are the temporary exemptions for imported engines?

Introductory text is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1068.330 How do I import engines requiring further assembly?

The title of this section was modified by replacing the text "... to modify for applications" with "... requiring further assembly."

New paragraph (a)(4) is incorporated from the Omnibus Technical Amendments without contextual revision.

Paragraph (c) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1068.335 What are the penalties for violations?

Paragraph (b) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1068.410 How must I select and prepare my engines?

Paragraph (j) is incorporated from the Omnibus Technical Amendments without contextual revision.

§ 1068.540 What terms do I need to know for this subpart?

This section was deleted.

Staff has made several other non-substantial modifications throughout the regulations and test procedures to correct grammatical and typographical errors, correct references and citations, and improve the clarity of the regulations and test procedures.

Board Resolution 04-43, approving the regulatory action described above, and the regulatory documents for this rulemaking are available online at the following ARB internet site:

<http://www.arb.ca.gov/regact/offrdcie/offrdcie.htm>

Printed copies are also available and may be obtained from Ms. Margaret Dawson, Mobile Source Control Division, (626) 575-6632, or by fax (626) 459-4480.

Comments and Subsequent Action

In accordance with section 11346.8 of the Government Code, the Board directed the Executive Officer to adopt revised sections 2421 and 2423, title 13, CCR, and the revised incorporated documents "California Exhaust Emission Standards and Test Procedures for New 2000 and Later Tier 1, Tier 2, and Tier 3 Off-Road Compression-Ignition Engines, Part I-B," and "California Exhaust Emission Standards and Test Procedures for New 2008 and Later Tier 4 Off-Road Compression-Ignition Engines, Part I-C," after making them available to the public for comment for a period of at least 45 days. The Board further provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such modifications as may be appropriate in light of the comments received, and shall present the regulations to the Board for further consideration if warranted.

Written comments on the modifications approved by the Board may be submitted by postal mail, electronic mail, or facsimile as follows:

Postal Mail is to be sent to:
Clerk of the Board
Air Resources Board
1001 "I" Street, 23rd Floor
Sacramento, California 95814

Electronic mail is to be sent to: offrdcie@listserv.arb.ca.gov

Facsimile submissions are to be transmitted to: (916) 322-3928

In order to be considered by the Executive Officer, comments must be directed to the ARB in one of the three forms described above and received by the ARB by 5:00 p.m. on the deadline date for public comment listed at the beginning of this notice. Only comments relating to the above-described modifications to the text of the regulations shall be considered by the Executive Officer.

Attachments (3)